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11-15-16
01:29 PM

DB3/sf3 11/15/2016

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Rebecca White, Fred Avalos, Jason Sullivan,
Uel Furnas, Jeff Charist, Steve & Teresa
Poole, John Rosh, Jeff Sindlinger, Leroy
Chism, Jesus Gallardo and Todd Tenhet,

Complainants,

vs.

California Water Service Company (U60W),

Defendant.

Case 16-05-010
(Filed May 17, 2016)

**ADMINISTRATIVE LAW JUDGE'S RULING DIRECTING DOCKET
OFFICE TO ACCEPT FOR FILING THE COMPLAINANTS'
RESPONSES TO ALJ RULING TO SHOW CAUSE**

Introduction

This ruling directs the Docket Office of the California Public Utilities Commission (Commission) to accept for filing the Complainants' responses to the Administrative Law Judge's (ALJ's) October 5, 2016, ruling. This ruling further directs the Docket Office to provide notice of these responses to California Water Service Company (Cal Water) by whatever means the Docket Office deems appropriate. Finally, this ruling advises Complainants that any

future documents tendered for filing with the Docket Office may be rejected if they do not conform to the Commission's Rules.¹

1. Background

On May 17, 2016, Complainants Rebecca White, Fred Avalos, Jason Sullivan, Uel Furnas, Jeff Charist, Steve & Teresa Poole, John Rosh, Jeff Sindlinger, Leroy Chism, Jesus Gallardo and Todd Tenhet (Complainant or Complainants) filed Complaint C.16-05-010. On June 27, 2016, Cal Water filed its answer to the complaints.

On August 8, 2016, the ALJ issued a ruling setting a prehearing conference (PHC) to be held on September 9, 2016, in Visalia, California. Notice of the PHC was sent to each of the Complainants at the email address provided to the Commission, pursuant to Rule 1.10. Defendant Cal Water appeared at the PHC; none of the Complainants appeared at the PHC or contacted the ALJ or the Commission's Public Advisor's Office to explain why they did not appear.

On October 5, 2016, the assigned ALJ issued a ruling directing each of the Complainants to file a written response, no later than October 14, 2016, to show cause why they did not appear at the PHC, and why their complaints should not be dismissed. On October 11, 2016, a packet of documents was tendered for filing with the Docket Office in response to the ALJ's ruling. Each of these documents contained a photocopy of the first page of the ALJ's October 5, 2016, ruling, a photocopy of the first two pages of Complainant Rebecca White's handwritten statement, a copy of a spreadsheet containing the name, address, telephone number and email address for each Complainant, and a separate page

¹ All references to Rule or Rules refer to the Commission's Rules of Practice and Procedure unless otherwise indicated.

containing the signature of each Complainant. These documents did not conform to the Commission's Rules, specifically Rule 1.5 (Form and Size of Tendered Documents) and Rule 1.6 (Title Page Requirements). Further, there was no indication that the documents were served on Defendant Cal Water or the assigned ALJ per Rule 1.9 (Service Generally). The documents contend the ALJ's ruling notifying the parties of the time, date and location of the PHC was not received or could not be located.²

2. Discussion

The Commission has established rules and procedures for consumers to file complaints³ against regulated public utilities for alleged violation of any provision of law, or of any order or rule of the Commission⁴. Further, the Commission's Public Advisor's Office is available to assist consumers in this regard.⁵

The ALJ may, in his or her discretion, take such action as may be necessary and appropriate to the discharge of his or her duties, consistent with the statutory and other authorities under which the Commission functions.⁶

In the interest of fairness to all parties and to move this proceeding along, and in an abundance of caution, by this ruling I will do the following:

- 1) Direct the Docket Office to accept for filing as a Response to the ALJ ruling of October 5, 2016, the documents received from Complainants on October 11, 2016;

² See (1) of each Complainant's response.

³ See Rules 4.1 through 4.4 of the Commission's Rules of Practice and Procedure.

⁴ See Rule 4.1(a)(1).

⁵ See Pub. Util. Code § 321.

⁶ See Rule 9.1.

- 2) Direct the Docket Office to provide notice to Cal Water of the responses received from Complainants, in whatever form the Docket Office deems appropriate; and
- 3) Advise the Complainants that any future documents tendered for filing with the Commission must conform to the Commission's rules and procedures, or they may be rejected.

IT IS RULED that:

1. The Docket Office shall accept for filing as a Response, the documents tendered by Complainants on October 11, 2016.
2. The Docket Office shall inform California Water Service Company, by whatever means the Docket Office deems appropriate, of the Responses referenced above.
3. The Complainants, individually and collectively, are hereby advised that any documents tendered for filing with the Commission must conform to the Commission's Rules of Practice and Procedure, or they may be rejected.
4. Parties needing assistance regarding the Commission's Rules and Procedures should contact the Public Advisor's Office at 1-866-849-8390 (toll free) or 415-703-2074 or by email at public.advisor@cpuc.ca.gov.
5. This ruling shall be sent to each of the complainants by email and regular mail.

Dated November 15, 2016, at San Francisco, California.

/s/ DAN H. BURCHAM

Dan H. Burcham
Administrative Law Judge